

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:21-CV-00013-BO

ERICA WILLIS,)	
)	
Plaintiff)	
)	
v.)	<u>DEFENDANT’S ORDER TO</u>
)	<u>MOTION</u>
)	<u>FOR 42 U.S.C. § 406(b) FEES</u>
KILOLO KIJAKAZI,)	
Acting Commissioner of)	
Social Security,)	
)	
Defendant.)	
_____)	

Plaintiff’s counsel filed a motion for approval of attorney’s fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$18,000.00. Attorney’s fees under section 206(b) are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b). Plaintiff’s counsel will reimburse Plaintiff the amount in fees he previously received under the Equal Access Justice Act, 28 U.S.C. § 2412 in the amount of \$5,150.00.

Defendant filed a response, stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$18,000.00.

This 15 day of March, 2023.



TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE